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# DRAFT

## REMARKS

The foregoing amendment amend claims 1. Pending in the application are claims 1-2, of which claim 1 is independent. The following comments address all stated grounds for rejection and place the presently pending claims, as identified above, in condition for allowance.

### 35 U.S.C. 112 Rejections

Claims 1 and 2 are rejected under 35 U.S.C 112, second paragraph as being indefinite. Applicant traverses this rejection and submits that the pending claims are clear and definite, as discussed below.

Regarding the term "approximately tubular" in claim 1, Applicant submits that the term "approximately" is clear and definite. However, in an effort to expedite prosecution of this applications, Applicant has removed this term from claim 1.

Regarding an alleged lack of antecedent basis for the term "interior," Applicant has amended claim 1 to recite "an interior," thereby overcoming the rejection.

Regarding the description of the central component as both "permanently retained" and "detachable", Applicant has amended the term "being permanently retained" to "therein retained", which is not inconsistent with being detachable. The recitation "therein retained" is intended to mean that the central component is retained within the housing during operation such that it cannot get lost. For example, the component is secured during operation against normal influences, such as thermal expansion and vibration, and does not detach from the housing. However, the central component may be deliberately detached during disassembly, for example to repair or service the component.

Regarding claim 2, the phrase "interacting polygonal contours" refers to an embodiment of the invention in which the central component includes a first contour or surface that has a polygonal shape, and the retaining component includes a second contour or surface having a polygonal shape that is complementary to the first contour. The first contour interacts with the second contour to prevent rotation of the central component during

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operation of the filter. The interacting polygonal contours are an example of how the central component may be rotationally fixed by the retaining component, while allowing rotation of the central component upon application of sufficient force. In the present invention, one component may be placed inside the other, such that an outer polygonal surface of one contacts an inner polygonal surface of another, or the components may be placed adjacent to one another, such that two outer polygonal surfaces are in contact. The recitation is clear to one of ordinary skill in the art upon review of Figure 2 and page 4, lines 25-30 of the specification.

### 35 U.S.C. 102 Rejections

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Vokes. Applicant respectfully traverses the rejection and submits that claim 1 is allowable over the cited prior art.

The Vokes reference describes a filter including means for mechanically cleaning a filter screen. In Vokes, a plurality of felt discs 1 are mounted on a cylinder 2 to form the filter screen. The filter includes end plates 5, 10 clamped to the cylinder 2 using a nut 12. A tube section 4 is also provided to retain the end plates 5, 10. The end plate 5 receives a packing ring 6, which bears against an outlet passage 7 of the filter head 8. The lower end portion of the tube section 4 is secured to the bottom of the filter by a bolt 11. The upper portion of the tube section 4 is secured to the filter head using a cross bar 15. A rotatable cage 22 surrounds the felt discs and includes scraping means for cleaning the felt discs.

The Vokes reference does not teach or suggest the claimed fluid filter. For example, the Vokes reference does not teach or suggest a fluid filter including a central component that is mounted *rotatably* around a longitudinal axis in the filter housing, as recited in claim 1. The Vokes reference also does not teach or suggest a filter including a retaining component that retains the central component by *interference fit* to inhibit rotation in the operating position, or that the central component is rotatable into the disassembly position when the clamping force of the interference fit is exceeded, as recited in claim 1.

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In the filter of Vokes, the tube section 4 and the lower end of the tube section 3, which the Examiner considers to be the central tubular component, is not rotatable within the housing, as required by the claimed invention. In Vokes, the felt discs 1, the end plates 5 and 10 and the tube section 4 are arranged and fixed together to form a filter assembly. As shown in Figure 1, the tube section 4 is fixed, by means of riveting or screws, to the upper end plate 5 and a nut 12 clamps together both end plates 5 and 10. The resulting filter assembly is rotationally fixed within the filter housing by the cross bar 15 and bolt 11. The cross bar is fixed to the head casting 8, which is fixed to the rest of the filter housing using bolts, as shown in Figure 1. Because the assembly is rotationally fixed by the cross bar, the tube section 4 is not rotatable within the filter housing, as recited in claim 1. For at least this reason, the filter of Vokes would not teach or suggest a central component that is mounted rotatably about a longitudinal axis of a filter housing, as recited in claim 1.

Vokes also does not teach a rotatably mounted central component, because if the felt discs, and therefore the end plates and tube section, were able to rotate, cleaning of the felt discs, which is the objective of Vokes, could not occur. In order to clean the filter element of Vokes, the rotatable cage 22 must rotate relative to the felt discs to scrape off dirt and sludge from the discs. The rotatable cage rotates about the felt discs using the handle 21, fork 20 and bar 23, which is fixed to the rotatable cage 22 via riveting or screws. As described in column 2, lines 27-35, cleaning of the filter element could not be achieved if the felt discs were to turn together with the rotatable cage, because rotation of the filter element would prevent removal of the dirt from the filter element. Therefore, the felt discs, and consequently the tube section 4, do not turn and must be rotationally fixed. Otherwise, cleaning of the filter could not occur.

The Vokes reference also does not teach or suggest a retaining component for retaining a central component via interference fit, as required by claim 1. In the Vokes device, the packing ring 6 bears against the end of the outlet passage 7, as set forth at least, for example, on column 1, lines 41-45. However, there is no teaching or suggestion that the packing ring 6 of Vokes bears against the tube section 4 or its lower end portion 3 to form a *retaining component*, as required by the claimed invention. Rather, as described above the tube is retained on its lower end by a bolt 11 extending through the cap and at the upper end by the cross bar 15, neither of which hold the tube by a interference fit, as required by claim

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1. Furthermore, in Vokes the tube cannot be rotated into a disassembly position when the clamping force of the interference fit is exceeded. The tube 4 is only released when both the bolt 11 and the cross bar 15 are removed.

In Vokes, the cylinder 2 also does not comprise a central component as recited in claim 1, because the cylinder is also not rotatable and does not include a retaining component for retaining the cylinder by friction fit. Therefore, Vokes does not describe a fluid filter including a central component as recited in claim 1.

## CONCLUSION

For the foregoing reasons, Applicant contends that claims distinguishes patentably over the prior art. As such, Applicants respectfully request that the Examiner's rejection the claim under 35 U.S.C. 102(b) be reconsidered and withdrawn and that the application be passed to allowance.

If there are any remaining issues, an opportunity for an interview is requested prior to the issuance of another Office Action. If the above amendments are not deemed to place this case in condition for allowance, the Examiner is urged to call the Applicant's representative at the telephone number listed below.

Respectfully submitted,

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